

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE		PAGE OF PAGES *		
2. AMENDMENT/MODIFICATION NO. PR-CI-02-10096/0001		3. EFFECTIVE DATE 02/06/03		4. REQUISITION/PURCHASE REQ. NO. PR-CI-02-10096		5. PROJECT NO. (If applicable)	
6. ISSUED BY Environmental Protection Agency Contracts Management Division 26 W. Martin Luther King Drive Cincinnati, OH 45268		CODE		7. ADMINISTERED BY (If other than item 4) Not Applicable.		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code) To All Offerors/Bidders.				(✓)		9A. AMENDMENT OF SOLICITATION NO. PR-CI-02-10096	
				✓		9B. DATED (SEE ITEM 11) 01/15/03	
						10A. MODIFICATION OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<p><input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers <input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended.</p> <p>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:</p> <p>(a) By completing Items 8 and 15, and returning <u>1</u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p>							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
(✓)		A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A					
		B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).					
		C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
		D. OTHER (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)							
<p>The purpose of this amendment is to: (1) address technical and other questions received in response to the RFP, (2) modify the Technical Proposal Instructions and Technical Evaluation Criteria attachments, (3) add three attachments, (4) modify the clause "OPTION TO EXTEND THE TERM OF THE CONTRACT--COST-TYPE CONTRACT (EPAAR 1552.217-71) (APR 1984) DEVIATION", and (5) extend the date by which proposals are due to 2/20/03, 4:00 PM local time. See page 2.</p>							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				SANDRA V. SAVAGE			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				_____ (Signature of Contracting Officer)			

AMENDMENTS TO THE SOLICITATION

1. The following questions were received in response to the RFP in accordance with the section L provision entitled, "Technical Questions." EPA's answer follows each question.

Q1. In Provision H.7 (page H-9), the dates for Option I appear to be incorrect. Did you intend for the dates of Option I to be from 5/1/04 - 4/30/05? Also, shouldn't the option periods end on 4/30/XX rather than 4/31/XX?

A1. The correct performance period for Option I is 5/1/4/04 - 4/30/05. The end dates are 4/30/XX. These corrections are reflected in the attached RFP amendment.

Q2. To adequately provide the information for the general CBI plan and Quality Management Plan that meet the requirements of the RFP, these plans could easily take up 100-120 pages of the technical proposal. Does EPA intend to include the Quality Management and CBI plans in the 150-page limit? If these plans are included in the page limit, we are concerned that offerors may not be able to provide enough information in the remaining pages for the Government to adequately evaluate their proposals.

A2. Attachment 5, Technical Proposal Instructions, Item 1, is amended to exclude the Quality Management Plan from the page limitation imposed on technical proposals. The General Security Plan for Confidential Business Information should be submitted as part of an offeror's business proposal, therefore, it is already excluded from the page limitation.

Q3. The past performance table format presented on page 5-6 of Attachment 5 doesn't allow for all of the items required in Provision L.13 (e.g., subcontracting goal information). May we modify the table to include all required items in L.13? In addition, L.13 requests us to provide for each reference the total contract value [see (f)], and Table 5.0 under Criterion E requests us to provide total funding. Please clarify which - contract value or contract funding - we should include.

A3. Offerors shall provide the information required under Section L.13, EPAAR 215-75 "Past Performance Information." Offerors shall present the information in table format. The requirement to adhere to the format under Attachment 5, Table 5.0 is deleted. The information provided shall include total contract value (not total funding).

Q4. With regard to L.17, Small Disadvantaged Business Participation Program, does EPA have a stated Agency target for overall use of SDBs? If so, what is that target?

A4. EPA's Goals for Subcontracting with Small Businesses are described under Section L.23, clause LC-19-06. EPA's current goal for subcontracting with small disadvantaged businesses is 20.0% of subcontract dollars awarded.

Q5. Our understanding of the proposal instructions in Attachment 5 (page 5-8) concerning Subcriteria G.2 and G.3 is that Table 8.0 includes the SDB participation targets for the prime contractor as well as any team subcontractors. Please verify if that is correct. In addition, please clarify what information is requested in Table 9.0.

A5. Subcriteria G.3 applies only if the prime is a small disadvantaged business, in which case the offeror must list in Table 8.0 its participation level in terms of the percentage of total proposed contract amount. For Subcriteria G.3, offerors should list in Table 9.0 all proposed subcontractors which are represented as SDBs and their respective participation level, again in terms of percent of total proposed contract amount.

Q6. Are we to assume that EPA is looking to evaluate only information presented in Tables 1-9 in Attachment 5 for Criteria A, B, E, F, and G, or will additional text that offerors provide to supplement the information presented in these tables be considered?

A6. In general, EPA will evaluate proposals in accordance with the provisions in Section M of the solicitation. EPA will evaluate technical proposals in accordance with EPAAR 1552.215-71, Evaluation Factors for Award. Technical proposals will be evaluated only against the criteria set forth in Attachment 4. The Technical Proposal Instructions, Attachment 5, expand the instructions set forth in Section L. The tables are required to promote consistency and to ease the evaluation process. Offerors shall provide only the information required in the tables. The tables may be modified to display the required information more effectively provided the information is limited to that required under the technical proposal instructions.

Q7. Referencing Subcriterion B.2 of Attachment 5, will EPA evaluate resumes for only the key PL-4 personnel, or may we include resumes of PL-3 personnel who we feel are particularly important to bid?

A7. EPA will evaluate the qualifications and availability of only P-4 personnel for subcriterion B.2 of the Technical Evaluation Criteria.

Q8. In Provision F.2, second paragraph: Is the expiration date for the OMB clearance number correct?

A8. Yes, the current expiration date for OMB clearance number 2030-0005 is February 28, 2003. It is anticipated that this date will be extended while the EPA clearance request for renewal is under review by OMB.

Q9. Provisions H.23 and H.25 are very similar. Was H.23 meant to supersede H.25?

A9. Yes. The RFP is amended to delete the provision at H.25.

Q10. Within criterion C.1, what is meant by delineating "proposed staff levels?" We are not sure if this criterion refers to explaining (1) the staffing capacity (e.g., numbers of staff and FTE) at various responsibility levels, (2) the professional labor categories that will be used, or (3) some other required information at the contract or project organization level.

A10. Technical Evaluation Criterion C.1 is revised to read as follows:
Appropriateness of the overall organizational structure which clearly delineates the responsibilities and lines of authority of and between proposed contractor staff.

Q11 In Attachment 5, please make a distinction between the information EPA is seeking in criterion C.5 (managing staff and subcontractors and providing support on schedule) and that required in criteria C.2 (communication among team members and coordination with EPA) and C.3 (monitoring schedule and costs, and correcting variances).

A11. The intent of Criterion C is to evaluate the adequacy of proposed plan to manage various aspects of the contract to ensure effective, efficient, accurate, and timely performance. Subcriterion C.2 addresses communications between team members and between the contractor and EPA. Subcriterion C.3 addresses the plan to track and monitor costs, performance, and reporting to ensure compliance with the requirements the statement of work and approved work plan estimates. Subcriterion C.3 addresses the plan to manage work activities, using the proposed staff and subcontractors, to provide quality deliverables within the required response time. The technical proposal instructions adequately distinguish between what is required in response to each subcriteria.

Q12. Attachments 11 and 12 (as shown on Page J-1) were not included in the RFP. Please provide copies.

A12. Attachment 11, MINIMUM STANDARDS FOR EPA CONTRACTORS' CONFLICT OF INTEREST PLANS and Attachment 12, APPLICABLE NAICS CODES, are provided in this amendment.

Q13. Attachment 10 of the RFP entitled Quality Assurance Planning Requirements, requires that the Contractor submit a Quality Management Plan (QMP) for the entire effort prior to award. Our corporate QMP is a well thought out, extensive, and very detailed document that describes both Corporate and local quality management processes and procedures. However, to include it verbatim in our proposal is not practical given the 150 page limitation. May we summarize our QMP in the proposal

and provide the entire document at contract award?

A13. See A2.

Q14. (a) Please provide further explanation and clarification as to the requirements listed under Section G in Attachment 4, Technical Evaluation Criteria. In particular, Table 9 of the Technical Proposal Instructions asks for target SDB participation by subcontractors. Are you encouraging second tier subcontracting? (b) Do our subcontractors that are not small or small disadvantaged need to submit subcontracting plans? Should they also have subcontracting goals similar to the prime? If EPA is requesting information on SDB participation through second tier subcontracting, will the Prime be able to take credit for this SDB participation as part of their SDB goal?

A14.

(a) EPA will evaluate offerors' demonstrated commitment to use small disadvantaged businesses concerns as evidenced by the extent of specific identification of SDBs, and the complexity and variety of the work to be performed by SDBs under the contract. Table 9 requires offerors to identify proposed SDBs and the extent of their participation in terms of percentage of the total proposed contract amount. The table should include any SDB's proposed by subcontractors. EPA will evaluate only the offeror's subcontracting plan.

(b) In accordance with Section I, FAR 52.219-9(d) (9), "Small Business Subcontracting Plan," the offeror will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$500,000 to adopt a subcontracting plan that complies with the requirements of FAR clause 52.219-9. In addition, offerors' subcontracting plans shall assure that the offeror will include the clause FAR 52.219-8, (Utilization of Small Business Concerns" in all subcontracts that offer further subcontracting opportunities.

(c) The provision at Section L.23, EPA's Goals for Subcontracting with Small Businesses indicates that EPA's goal for subcontracting with SDBs is 20% of subcontracting dollars (although this goal is not intended to be mandatory). This clause is modified to delete the reference to a web site for a model subcontracting plan. Instead, a model subcontracting plan is added to the RFP as Attachment 13.

Q15. What kind of latitude do we have as far as modifying any of the Attachment 5 Table formats? It may be possible to display the exact same information in different columns or rows to more effectively utilize the space on a page. Please clarify and/or elaborate.

A15. The tables are required to promote consistency and ease of proposal evaluation. Offerors shall provide only the information required in the tables. The tables may be modified to display the required information more effectively provided the information is limited to that required under the technical proposal instructions. See A6.

Q16. Table 5 and requirement L.13 are very similar, but not identical. Can we modify Table 5 to include the additional data from L.13 or do we need to present the data twice, once in Table 5 and again in another table? If presented twice, is the L.13 data included in the 150 page maximum?

A16. See A3.

Q17. The text of the technical proposal instructions in Attachment 5 asks for project-related data in Table 1 and contract-related data in Table 5. However, the title in the first row of Table 1 asks for contract data and the title in the first column of Table 5 asks for project data. Please clarify which information goes in each Table.

A17. The prescribed format for Table 5.0 is deleted. See A2.

Q18. Our border paper meets the 3/4" requirement for the text, but the border itself and our logo may be closer than 3/4" to the edge. Please clarify the 3/4" margin requirement on all sides of each page.

A18. Borders and logos are excluded from the margin requirements. Attachment 5 is amended to reflect this clarification.

Q19. Are blank pages at the end of chapters included in the 150 page limit? If so, is there a requirement that the proposal be submitted as a double-sided document?

A19. Blank pages are included in the page limitation (section tabs, however, are excluded). There is no requirement that the proposal be submitted as a double-sided document.

Q20. There was an amendment to the FedBizOpps synopsis altering the number of base and quantity option hours. Are the correct numbers (1) 9-month base period with 1500 base hours and 7500 quantity option hours, (2) 12-month option periods with 20,000 base hours and 10,000 quantity option hours, and (1) 3-month option period with 5000 base hours and 2500 quantity option hours?

A20. The correct estimated LOE is that which is currently set forth in the Cost Proposal Instructions (Attachment 7). Although the allocation of hours among periods varies from the FedBizOpps announcement, the total LOE of 90,000 hours over a three year period is unchanged.

Q21. What is the date of receipt of the RFP's?

A21. The due date for submission of proposals is extended to 2/20/2003, 4:00 P.M. local time.

Q22. When is it expected that the project will commence once it has been awarded?

A22. The provision at section L.10 states that offerors may assume the proposed contract start date is 5/1/03 and that the required effort will be uniformly incurred throughout each contract period.

2. The Section H clause entitled "OPTION TO EXTEND THE TERM OF THE CONTRACT--COST-TYPE CONTRACT (EPAAR 1552.217-71) (APR 1984) DEVIATION" **paragraph (a) has been modified to correct the Option Period dates.** The text is as follows:

The Government has the option to extend the term of this contract for 2 additional period(s). If more than 60 days remain in the contract period of performance, the Government, without prior written notification, may exercise this option by issuing a contract modification. To exercise this option within the last 60 days of the period of performance, the Government must provide to the Contractor written notification prior to that last 60-day period. This preliminary notification does not commit the Government to exercising the option. Use of an option will result in the following contract modifications:

(a) The "Period of Performance" clause will be amended as follows to cover the Base and Option Periods:

Period	Start Date	End Date
-----	-----	-----
Option Period I	5/1/04	4/30/05
Option Period II	5/1/05	4/31/06

(b) Paragraph (a) of the "Level of Effort" clause will be amended to reflect a new and separate level of effort of:

Option Period	Level of Effort <u>Direct Labor Hours</u>
I	20,000
II	20,000

(c) The "Estimated Cost and Fixed Fee" clause will be amended to reflect increased

estimated costs and fixed fees for each option period as follows:

<u>Option Period</u>	<u>Estimated Cost</u>	<u>Fixed Fee</u>	<u>Total</u>
_____	_____	_____	_____
_____	_____	_____	_____

(d) If this contract contains "not to exceed amounts" for elements of other direct costs (ODC), those amounts will be increased as follows:

none

3. The Section L clause entitled "EPA'S GOALS FOR SUBCONTRACTING WITH SMALL BUSINESSES (LOCAL LC-19-06) (DEC 2001) DEVIATION" has been **modified to delete the referenced web site for a sample subcontracting plan. Instead, a sample subcontracting plan is provided under Attachment 13.** The text is as follows:

In accordance with FAR 52.219-9, Alternate II, the Contracting Officer is requesting all Large Businesses which submit an offer under a negotiated Request for Proposal (RFP) that is expected to result in a contract which will exceed \$500,000 (\$1,000,000 for construction) and have subcontracting possibilities provide a subcontracting plan with their initial proposal. In accordance with FAR 52.219-9, Alternate Madia, when Bids are solicited under a Sealed Bid procedure, the Contracting Officer will only request a subcontracting plan from a Large Business when they are the apparent low bidder after bids have been opened and evaluated. However, in order to expedite the award process, all Large Business bidders submitting a bid under a Seal Bid are encouraged to submit their subcontracting plan with their initial bid.

In reviewing offerors' (or apparent low bidder's) subcontracting plans submitted in accordance with the provision entitled, "Utilization of Small Business Concerns," (FAR 52.219-8) and "Small Business Subcontracting Plan," (FAR 52.219-9) EPA will use its own goals as negotiated with SBA as an Agency guideline. EPA's Socio-Economic subcontracting goal currently totals 50.0% of available subcontract dollars. These goals currently breakout as follows:

	<u>Percent of Subcontract Dollars Awarded</u>
Awards to Small Businesses	50.0%
Awards to Small Disadvantaged Businesses	20.0%
Awards to Women-Owned Businesses	6.0%
Awards to HUB Zone Businesses	3.0%
Awards to Service Disabled Veteran	3.0%

These goals are not intended to be mandatory; however, offerors (or apparent low

bidder) are encouraged to keep these goals in mind when developing their subcontracting plan. Please note that goals must be proposed as a percentage of total dollars being subcontracted.

A sample subcontracting plan format can be found under Attachment 13. This sample is available as a guide to assist offerors in preparation of subcontracting plans and is not designated as mandatory.

3. The attachment entitled "TECHNICAL EVALUATION CRITERIA," **Criterion C.1 has been modified for clarity.** The remaining criteria are unchanged. The text is as follows:

C.	QUALITY OF PROPOSED PROGRAM MANAGEMENT PLAN	250 Total
1.	Appropriateness of the overall organizational structure which clearly delineates the responsibilities and lines of authority and between proposed contract staff.	50
2.	Adequacy of the communication mechanisms proposed to ensure effective coordination and timely management of activities.	50
3.	Adequacy of the system proposed to track and monitor costs and performance so as to ensure performance within the established budgetary constraints and scheduled deadlines.	50
4.	Adequacy of plan for recruiting, training and retaining qualified personnel for all positions throughout the performance of the contract.	50
5.	Adequacy of plan to manage research activities utilizing staff and subcontractors and to provide reports of data and data quality on schedule (quick response).	50

4. The attachment entitled "TECHNICAL PROPOSAL INSTRUCTIONS" has been modified. **Specifically, Item 1 has been modified to clarify the page and format limitations and Item 5, Criterion E, has been modified to clarify the information required for evaluation of past performance.** The text is as follows:

So that EPA may evaluate technical proposals in accordance with the Technical Evaluation Criteria, offerors must address the following in their technical proposals. These technical proposal instructions expand the instructions set forth in the provision under Section L entitled, "Instructions for the Preparation of Technical and Cost or Pricing Proposals (EPARR

1552.215-72). Technical evaluation of proposals will be based on the Technical Evaluation Factors in Attachment 4.

1. Technical proposals shall be limited to a total of 150 typed pages including contents pages, supporting appendices, and résumés. **Excluded from the page limitation is: (1) past performance reference information to be submitted in accordance with Provision L.13, EPAAR 1552.215-75(b), (2) title page, (3) section tabs, and (4) Quality Management Plan. Paper size shall be 8 ½" x 11". Pages shall have at least a 3/4" margin on all sides.**

Excluded from the margin restriction are borders and logos. Type shall not be smaller than 12 characters per inch. The smaller 10 characters per inch font size is acceptable for non-text items, such as tables, graphics, and exhibits. Any information contained on pages that exceed the page limit shall not be evaluated. CD Rom or other recorded formats are not acceptable.

2. The technical proposal must be prepared as a separate part of the total proposal package, and shall be specific and sufficiently detailed as to allow a complete evaluation of the offeror's method for satisfying the requirements set forth in the RFP. All cost or pricing details shall be omitted from the technical proposal.

3. The technical proposal shall comprehensively address each of the criteria described in the TECHNICAL EVALUATION CRITERIA, and shall be prepared in exactly the same order, using the same number/lettering system for all criteria and subcriteria. Include within the proposal section for an individual criterion/subcriterion all material that is to be evaluated thereunder. Only what is included under the individual criterion/subcriterion will be used for evaluation of that particular item. For Criterion E, offerors shall provide information in accordance with solicitation provision L.9, Past Performance Information (EPAAR 1552.215-75).

4. The term "offeror" as used in the TECHNICAL PROPOSAL INSTRUCTIONS and the TECHNICAL EVALUATION CRITERIA shall mean the prime contractor and any proposed subcontractors or consultants.

5. The following instructions apply to the TECHNICAL EVALUATION CRITERIA set forth in Attachment 4:

Criterion A is established to evaluate the offeror's corporate experience in fulfilling the technical requirements identified in the Statement of Work. The offeror shall use the format of Table 1.0 below to demonstrate such experience. In areas where expertise and capabilities cannot be demonstrated by the offeror, the offeror should provide names and availability of subcontractors and consultants that the offeror intends to use to satisfy the requirements. Report only those projects completed within the past five years.

Table 1.0

Corporate experience in fulfilling the technical requirements of contracts of similar scope, size and type to that specified in the solicitation

If experience is that of other than the offeror, provide name of subcontractor or consultant.

(check one) Subcontractor:_____ Consultant:_____

Name:

Contract, grant, or other vehicle descriptive title (if other, specify), identifying number, and total funding.	
Client (include contact name and phone number)	
Date research initiated and date completed (must be within the past 5 years)	
Description of research accomplishments (not to exceed 100 words)	

Criterion B This factor is established to evaluate the qualifications of Key and P-4 personnel that will perform this requirement.

Subcriterion B.1 is established to evaluate the qualifications of the proposed Project Manager, who must be in the employ of the prime offeror, not a subcontractor, or consultant. The format of tables 2.0, and 3.0 below shall be used to present specific examples of past or current projects relating to the area covered by each subcriterion. Each project example should clearly state the role of the project manager, along with the nature, size and sponsor of the project.

Table 2.0

Project manager (PL4) experience that demonstrates ability to manage diverse research teams.

Project manager anticipated availability for this contract_____%

Project manager educational background:_____

Type of research team managed (not to exceed 25 words)	Employer	Duties (not to exceed 100 words)	Sponsor name, organization, phone number, amount of funding	Dates - From: To:

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Table 3.0
Project Manager (PL4) experience in the research areas described in the SOW

SOW Subcriterion (e.g., A.2)	Employer	Duties (not to exceed 100 words)	Sponsor name, organization, phone number, amount of funding	Dates - From: To:

Subcriterion B.2 is established to evaluate the qualifications and availability of PL-4 personnel proposed to fulfill the requirements of the Statement of Work. Refer to Attachment 6 for a description of personnel qualifications for professional personnel. In detailing past experience for proposed personnel, specific examples of past or current projects relating to each area of the Statement of Work (e.g., A.2) should be presented in the format of Table 4.0 below. Each project example should clearly state the role of the person in the project along with the nature, size and sponsor of the project. Résumés for PL-4 Personnel shall be included as an appendix or in the main body and are subject to the page limitation cited in Item no. 1 of this attachment.

Table 4.0
PL4 experience in the areas described in the Statement of Work

Name: _____

Anticipated availability for this contract: _____%

Educational Background: _____

SOW Subcriterion (e.g., A.2)	Employer	Duties (not to exceed 100 words)	Sponsor name, organization, phone number, amount of funding	Dates - From: To:

Criterion C is established to evaluate the adequacy of the offeror's plan to effectively manage the contract with the evaluation centered on the specific aspects covered by each of the following subcriteria:

For Subcriterion C.1, offerors shall describe the organizational structure, including proposed staff levels, lines of authority and responsibility diagrams. The proposal shall clearly demonstrate the advantages of the offeror's proposed organizational structure and show how the Project Manager will ensure the successful operation of the contract.

For Subcriterion C.2, offerors shall identify the role and responsibilities of each proposed subcontractor (if applicable) and shall demonstrate how each subcontractor will be incorporated into the project team to enhance the offeror's capabilities. Offerors shall describe how communication will be instituted and maintained to ensure coordinated performance among team members. The proposal shall also delineate how the offeror will interact with and coordinate contract activities with the EPA Project Officer and Work Assignment Managers.

For Subcriterion C.3, offerors shall describe the project monitoring system, including a discussion of the scheduling and cost control techniques the offeror will use for the Work Assignments issued under the contract. This discussion must include a summary of procedures for identifying, reviewing, and correcting cost and schedule variances. The offeror shall also describe how the reporting requirements will be met and monitored to ensure strict conformance with the RFP specification. Describe how information from subcontractors and remote teams will be solicited and incorporated to ensure timely, accurate reports.

For Subcriterion C.4, offerors shall describe the project plan to recruit, hire, and retain qualified personnel to perform the requirements of this contract. This discussion must include a summary of procedures for adequate training to ensure that these personnel maintain the requisite level of technical professional skill necessary to perform contract activities.

For Subcriterion C.5, offerors shall describe its plan to manage research activities utilizing staff and subcontractors and to provide reports of data and data quality on schedule (quick response).

Criterion D is established to evaluate the adequacy of the offeror's quality assurance program plan. The offeror shall demonstrate their ability to meet the QA requirements of the Statement of Work, including demonstrating experience in establishing and implementing a QA

program. Programs shall be evaluated as to how well they address U. S. EPA's QA requirements, as identified in Attachment 10.

Criterion E is established to evaluate past performance information which the Government will elicit from entities regarding their contractual experiences with the offeror (including subcontractors). Offerors shall list the last five (5) contracts and subcontracts completed during the last three years and all contracts and subcontracts currently in process. References contacted by the Government and used to evaluate past performance are not limited to those identified by the offeror. **Offerors shall provide past performance information as required under Section L provision EPAAR 1552.215-75 entitled "Past Performance Information."** **Offerors shall provide the required information in table format, and label the table, Table 5.0.**

Criterion F is established to evaluate the adequacy and availability of facilities and equipment proposed to fulfill the requirements of the Statement of Work. Offerors shall use the format of Table 6 below to list facilities/equipment they will use in performing the work.

Table 6.0

Facilities/equipment and availability of same for performing the tasks in the SOW

Type of equipment/facility	For use on which SOW area	Location of facility/equipment	Percent availability of facility/equipment

Criterion G is established to evaluate the offeror's commitment to the inclusion of small and disadvantaged businesses in the proposed work.

(a) For subcriterion G.1, the offeror shall propose targets, expressed only as percentages of the total proposed contract amount in each of the applicable North American Industry Classification System (NAICS) Industry Subsectors, as determined by the Department of Commerce and to the extent authorized by law. The offeror shall use the format of Table 7.0 to provide the requested information.

Table 7.0

Proposed targets for SDB utilization by NAICS subsectors

North American Industry Subsectors Classification	Percent of total proposed contract amount

(b) For subcriterion G.2, the offeror shall provide a total target, expressed only as percentages, for SDB participation by the prime contractor, including joint venture partners and team members.

Table 8.0
Total target for SDB participation by prime contractor

Prime Contractor:	Percent participation:
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(c) For subcriterion G.3, the offeror shall provide a total target, expressed only as percentages, for SDB participation by subcontractor(s). The format of Table 9.0 shall be used to respond to this subcriterion.

Table 9.0
Total target for SDB participation by subcontractor(s)

<u>SDB participator</u>	<u>Percent participation</u>

NOTE: THE OFFEROR'S RESPONSE TO THIS CRITERION MUST ALSO BE INCLUDED IN THE OFFEROR'S COST PROPOSAL. IN THE COST PROPOSAL OFFERORS SHALL PROVIDE THEIR PROPOSED TARGETS EXPRESSED AS BOTH DOLLARS AND

PERCENTAGES OF THE TOTAL PROPOSED CONTRACT AMOUNT FOR G.1, G.2, AND G.3 ABOVE. GUIDELINES AND APPLICABILITY OF THIS PROGRAM ARE OUTLINED IN SUBPART 19.12 OF THE FAR.

5. The attachment entitled "MINIMUM STANDARDS FOR EPA CONTRACTORS' CONFLICT OF INTEREST PLANS" has been added. The text is as follows:

**MINIMUM STANDARDS FOR EPA CONTRACTORS'
CONFLICT OF INTEREST PLANS**

1. PURPOSE

The Environmental Protection Agency (EPA) has identified a need to avoid, neutralize, or mitigate actual and potential contractor conflicts of interest (COI). In order to avoid, neutralize, or mitigate conflicts, contractors are required to have a COI plan for identifying and reporting actual and potential COI. The purpose of this document is to set forth the minimum standards for a contractor's COI plan.

2. COI PLAN

The contractor's COI Plan is a document which describes the procedures a company uses to identify and report COI. Generally, a contractor's corporate COI plan will describe how a company, in its entirety, addresses conflicts, and will not be contract or program specific. The plan may also describe the options a company will consider proposing to avoid, neutralize, or mitigate a COI whenever a conflict is identified. The plan will be evaluated and approved* by the applicable EPA Contracting Officer (CO) if the COI Plan meets the EPA's minimum requirements for detecting and reporting conflicts of interest. Contractors' COI Plans should be identified by a version number and date, as appropriate. In addition, when applicable, please also identify the version number and date of any previously

submitted COI Plans to the Agency, to whom (name, title, and phone number) the COI Plan was submitted, what the solicitation(s)/contract(s) numbers were, and if and when the COI Plan was approved.

* COs may accept another CO's prior approval of the same version of a contractor's COI Plan when appropriate. COs however, are not required to accept another CO's decision if the CO performs his/her own independent evaluation.

3. MINIMUM STANDARDS FOR CONTRACTORS' COI PLANS

A. Corporate Structure

The COI Plan shall describe any parent relationship and list all affiliates, subsidiaries, and sister companies, etc. Generally, this need not exceed three corporate tiers, unless a relationship exists beyond three tiers that would potentially create a conflict. In such a case, relationships beyond three tiers should also be included in the COI Plan. Contractors should report changes in its' corporate structure to the Agency throughout contract performance.

Contractors are invited to include under this section, a company profile. The profile should discuss all pertinent information relevant to COI including a summary of a contractor's primary and/or environmental business functions and activities. This background information will potentially be very useful to contracting officers and the Agency when evaluating whether or not a contractor has a COI.

B. Searching and Identifying COI

The COI Plan shall include a requirement describing when a COI search must be performed by company personnel and clearly identify the procedures to be followed. The searching requirement shall encompass all work related to all clients for whom work was performed over the past three years, all current work, all sites (if applicable), and any future work reflected in marketing proposals. Contractors must search their records over the past 36 months from time of receipt of the work from EPA. However, EPA encourages contractors to search back as far as a company's records cover.

C. Data Base

The COI Plan shall require a data base that includes all necessary information for a contractor to review its past work (at a minimum over the past 36

months), work in progress, and work the company may be pursuing under any marketing proposals. This requirement does not establish any particular type or kind of retrieval system, however, the data base shall contain, at a minimum, the following information and capabilities.

- (1) a list of the company's past and public clients;
- (2) a description of the type(s) of work that was performed and any other pertinent information;
- (3) a list of the past sites (when applicable) a contractor has worked on;
- (4) a list of site name(s) (when applicable) related to any work performed; and
- (5) the ability to search and retrieve the information in the data base.

If applicable, the COI Plan shall include provisions for supplemental searches of a parents, affiliates, subsidiaries, or sister company's records. The COI Plan shall also describe any cross-checks used by the company when searching COI issues.

D. Personal Certification

At a minimum, the COI Plan shall require ALL employees of the company performing work under an EPA Superfund and/or Non-Superfund contract, including work on a site, work relating to a site, or work pertaining to a CERCLA/RCRA action or work that may endanger a CERCLA enforcement action, to sign a personal certification. It should be noted however, that it is the preference of the Agency that ALL employees of the company be required to sign such a certification rather than only those employees working under an EPA contract. The certification shall require at a minimum, that the individual agrees to report to the proper company authority any personal COI the individual may have on any work that may result in an actual or potential COI. The certification shall also state the individual has read and understands the company's COI Plan and procedures. The employee certifications shall be retained by the company.

E. Work Assignment (WA), Technical Direction Document (TDD), or Delivery Order (DO) Notification and Certification

The COI Plan shall describe the process the company requires for notifying the Agency prior to beginning work, and for submission of its' WA/TDD/DO certification within 20 days of receipt of the work from EPA.

NOTE: WA/TDD/DO certifications are NOT required if the contract contains an annual certification requirement. Nevertheless, the contractor's COI Plan should address the procedures to be followed for WA/TDD/DO certifications.

F. Annual Certification

The COI Plan shall describe the process the company requires for submission of its annual certification.

NOTE: Annual certification is NOT required if the contract contains a WA/TDD/DO certification requirement. Nevertheless, the contractor's COI Plan should address the procedures to be followed for annual certifications.

G. Notification and Documentation

The COI Plan shall clearly delineate who is the responsible official for making COI determinations within the company. Generally, this would be someone at a middle to upper level of management. The responsible official shall be free of any personal conflicts for the purpose of making COI determinations, e.g., a program manager who receives bonuses based on the total amount of sales may not be free of conflicts.

The plan shall clearly identify the process that is required when notifying the EPA of any actual or potential COI and the actions that the company has taken or will take to avoid, neutralize or mitigate the conflict. In addition, a contractor shall document all COI searches related to EPA work, whether or NOT an actual or potential COI has been identified.

H. Training

The COI Plan shall require all employees of the company to receive basic COI training, and that each employee receive COI awareness training, at least, on an annual basis. The company's COI Plan shall be available for all employees to review. Annual awareness training shall include, at a minimum, a review of the certification language and any changes that may have occurred in the company's COI Plan. In addition, companies are encouraged to routinely disseminate to their employees current COI information.

I. Subcontractor's COI Plans

The COI Plan shall describe the process and mechanism by which the company will monitor its subcontractors to ensure all subcontractors are complying with the COI provisions in their contracts. It is important that subcontractors identify and report COI as well as submit Limitation of Future Contracting (LOFC) requests for approval.

6. The attachment entitled "APPLICABLE NAICS CODES" has been added. The text is as follows:

Industries Eligible for the 10% Price Evaluation Adjustment

October 2000

The Commerce Department has not updated its determination for fiscal year 2001. Until the update is released, the price evaluation adjustment and the authorized industries established in fiscal year 2000 will remain in effect.

The fiscal year 2000 price evaluation adjustment and the listing of the eligible Standard Industrial Classification (SIC) major groups are published at 64 FR 52806 (September 30, 1999).

Fiscal year 2001 begins the use of the North American Industry Classification System (NAICS), a new industry classification system (See FAC 97-19, 65 FR 46055, July 26, 2000).

Because the Commerce Department fiscal year 2000 determination contains SIC code designations, the procurement office has consulted tables matching SIC codes to NAICS codes (and vice versa).

NAIC	Description of NAIC Subsector		NAIC	Description of NAIC Subsector
212	Metal mining		334	Communications
212	Coal mining		221	Electric, gas, and sanitary services
211	Oil and gas extraction		421	Wholesale trade-durable goods
212	Extraction of non-metallic minerals, except fuels		421	Wholesale trade-nondurable goods
233	Building construction - General Contractors (Limited to firms in East North Central, East South Central, Middle Atlantic and West South Central Regions comprising the following states: AL, AR, IL, IN, KY, LA, MI, MS, NJ, NY, OH, OK, PA, TN, TX, and WI)		442	Building materials, hardware, garden supply, and mobile home dealers

234	Heavy Construction, other than Buildings (Limited to firms in East South Central and West South Central Regions comprising the following states: AL, AR, KY, LA, MS, OK, TN, TX)		452	General merchandise stores
235	Construction, Special Trade Contractors (Limited to firms in New England and West North Central Regions comprising the following states: CT, IA, KS, MA, ME, MN, MO, NE, NH, ND, RI, SD,VT)		445	Food stores
314	Textile mill products		441	Automotive dealers and gasoline service stations
315	Apparel and other finished products made from fabrics		448	Apparel and accessories stores
321	Lumber and wood products, except furniture		442	Home furniture, furnishings, and equipment stores
337	Furniture and fixtures		722	Eating and drinking places
322	Paper and allied products		453	Miscellaneous retail
323	Printing, publishing, and allied industries		521	Depository institutions
325	Chemical and allied products		522	Nondepository adjustment institutions
324	Petroleum refining and related industries		523	Security and commodity brokers, dealers, exchanges, and services

326	Rubber and miscellaneous plastics products		524	Insurance carriers
316	Leather and leather products		524	Insurance agents, brokers, and services
332	Fabricated metal products		531	Real estate
335	Electronic and other electrical equipment and components, except computers		525	Holding and other investment offices
336	Transportation equipment		721	Hotels, rooming houses, camps, and other lodging places
334	Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks		541	Business services
339	Miscellaneous manufacturing industries		811	Automotive repair, services, and parking
485	Local and suburban transit and enter urban highway passenger transportation		811	Miscellaneous repair services
484	Motor freight transportation and warehousing		620	Health services
483	Water transportation		611	Educational services
486	Pipeline, except natural gas		541	Engineering, accounting, research, management, and related services

488	Transportation services		541	Miscellaneous services
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7. The attachment entitled "MODEL SUBCONTRACTING PLAN" has been added. The text is as follows:

SMALL, SMALL DISADVANTAGED & WOMEN-OWNED SMALL BUSINESS

MODEL SUBCONTRACTING PLAN OUTLINE*

Identification Data

Contractor: _____

Address: _____

Solicitation or Contract Number: _____

Project Title: _____

Total Amount of Contract (Including Options) \$_____

Period of Contract Performance (MO. & YR.) _____

* Federal Acquisition Regulation (FAR), paragraph 19.708 (b) prescribes the use of the clause FAR 52.219-9 entitled "Small Business and Small Disadvantaged Business Subcontracting Plan." The following is a suggested model for use when formulating such a subcontracting plan. While this model plan has been designed to be consistent with FAR 52.219-9, other formats of a subcontracting plan may be acceptable. However, failure to include the essential information as exemplified in this model may be cause for either a delay in acceptance or the rejection of a bid or offer where the clause is applicable. Further, the use of this model is not intended to waive other requirements that may be applicable under FAR 52.219-9. "SUBCONTRACT" as used in this clause, means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract.

1. Type of Plan

Individual plan (All elements developed specifically for this contract and applicable for the full term of this contract.)

2. Goals

State separate dollar and percentage goals for small business (SB) concerns, small disadvantaged business (SDB) concerns, and women-owned business (WOB) concerns as subcontractors as specified in FAR 19.704.

A. Total estimated dollar value of all planned subcontracting; i.e., with all types of organizations under this contract, is
\$_____ and _____%.

B. Total estimated dollar value and percentage of planned subcontracting with small business

concerns: ** \$_____ and _____
%.

- C. Total estimated dollar value and percentage of planned subcontracting with small disadvantaged business concerns: ** \$_____ and _____%.
- D. Total estimated dollar value and percentage of planned subcontracting with women-owned small business concerns: ** \$_____ and _____%.
- E. Total estimated dollar value and percentage of planned subcontracting with Historically Black Colleges and Universities: ** \$_____ and _____%.

(** expressed as a percentage of "A.")

3. Description of all the products and/or services to be subcontracted under this contract, and an indication of the types of organizations supplying them: [i.e., LARGE BUSINESS (LG), SMALL BUSINESS (SB), SMALL DISADVANTAGED BUSINESS (SDB), WOMEN-OWNED BUSINESS (WOB)] - (check all that apply)

Subcontracted Product/Services	LG	SB	SDB	WOB

_____ (Attach additional

sheets if necessary).

4. A description of the method used to develop the subcontracting goals for small business concerns, small disadvantaged business concerns, and women-owned business concerns (i.e., explain the method and state the quantitative basis (in dollars) used to establish the percentage goals, in

addition, how the areas to be subcontracted to SB, SDB and WOB were determined, and how the capabilities of SB, SDB and WOB were determined--include any source lists used in the determination process).

5. Indirect costs have been_____have not been_____included in the dollar and percentage subcontracting goals stated above. (Check one)

6. If indirect costs have been included, explain the method used to determine the proportionate share of such costs to be allocated as subcontracts to small business concerns, small disadvantaged business concerns, and women-owned business concerns.

7. Program Administrator

Name, title, position within the corporate structure, and duties and responsibilities of the employee who will administer the contractor's subcontracting program.

Name: _____

Title: _____

Address: _____

Telephone: _____

Duties: Has general overall responsibility for the contractor's subcontracting program; i.e., developing, preparing, and executing individual subcontracting plans and monitoring performance relative to the requirements of this particular plan. Examples of duties are the following activities:

- A. Developing and promoting company-wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to small; small disadvantaged; and women-owned business concerns; and assure that small; small disadvantaged; and women-owned businesses are included on the source lists for solicitations for products and services they are capable of providing;
- B. Developing and maintaining bidder's lists of small; small disadvantaged; and women-owned business concerns from all possible sources;
- C. Ensuring periodic rotation of potential subcontractors on bidder's lists;
- D. Ensuring that procurement "packages" are designed to permit the maximum possible participation of small; small disadvantaged; and women-owned business concerns;
- E. Make arrangements for the utilization of various

sources for the identification of small; small disadvantaged; and women-owned businesses such as the SBA's Procurement Automated Source System (PASS), the National Minority Purchasing Council Vendor Information Service, the Office of Minority Business Data Center in the Department of Commerce, and the facilities of local small business and minority associations, and contact with Federal agency's Small and Disadvantaged Business Utilization Specialist (SADBUS).

F. Overseeing the establishment and maintenance of contract and subcontract award records;

G. Attending or arranging for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, Procurement Conferences, etc;

H. Ensure small; small disadvantaged; and women-owned business concerns are made aware of subcontracting opportunities and how to prepare responsive bids to the company;

I. Conducting or arranging for the conduct of training for purchasing personnel regarding the intent and impact of Public Law 95-507 on purchasing procedures;

J. Monitoring the company's performance and making any adjustments necessary to achieve the subcontract plan goals;

K. Preparing, and submitting timely, required subcontract reports;

L. Coordinating the company's activities during the conduct of compliance reviews by Federal agencies; and,

M. Other duties

8. Equitable Opportunity

Describe efforts the offeror will make to ensure that small and small disadvantaged business concerns will have an equitable opportunity to compete for subcontracts. These efforts may include, but are not limited to, the following activities:

A. Outreach efforts to obtain sources:

1. Contacting minority and small business trade associations;
2. Contacting business development organizations;
3. Attending small and minority business procurement conferences and trade fairs;
4. Requesting sources from the Small Business Administration's Procurement Automated Source System (PASS); and
5. Newspaper, magazine ads which encourage new sources.

B. Internal efforts to guide and encourage purchasing personnel:

1. Presenting workshops, seminars, and training programs;
2. Establishing, maintaining, and using small; small disadvantaged; and women-owned business source lists, guides, and other data for soliciting subcontracts; and

3. Monitoring activities to evaluate compliance with the subcontracting plan.

C. Additional efforts: _____

9. Flow-Down Clause

The contractor agrees to include the provision under FAR 52.219-8, "Utilization of Small, Small Disadvantaged and Women-Owned Small Business Concerns", in all subcontracts that offer further subcontracting opportunities. All subcontractors, except small business concerns, that receive subcontracts in excess of \$500,000 (\$1,000,000 for construction) must adopt and comply with a plan similar to the plan required by FAR 52.219-9, "Small Business and Small Disadvantaged Business Subcontracting Plan." (FAR 19.704(a)(4)).

10. Reporting and Cooperation

The contractor gives assurance of (1) cooperation in any studies or surveys that may be required; (2) submission of periodic reports which show compliance with the subcontracting plan; (3) submission of Standard Form (SF) 294, "Subcontracting Report for Individual Contracts", and SF-295, "Summary Subcontract Report", in accordance with the instructions on the forms; and (4) ensuring that subcontractors agree to submit Standard Forms 294 and 295.

<u>Reporting Period</u>	<u>Report Due</u>	<u>Due Date</u>
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Oct 1 - Mar 31	SF-294	04/30
Apr 1 - Sep 30	SF-294	10/30
Oct 1 - Sep 30	SF-295	10/30

ADDRESSEES

- (a) SF-294 to be submitted to cognizant Contracting Officer
- (b) SF-295 to be submitted to:

United States Environmental Protection Agency
 Cincinnati Procurement Operations Division - Norwood
 Attn: Norman White, Small Business Specialist
 26 W. Martin Luther King Dr.
 Cincinnati, OH 45268

11. Record Keeping

The following is a recitation of the types of records the contractor will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These records will include, for example, the following;

- A. Small; small disadvantaged; and women-owned business concerns source lists, guides, and other data identifying such vendors;
- B. Organizations contacted in an attempt to locate small; small disadvantaged; and women-owned business sources;
- C. On a contract-by-contract basis, records on all subcontract solicitations over \$100,000 which indicate for each solicitation (1) whether small business concerns were solicited, and if not, why not; (2) whether small disadvantaged business concerns were solicited, and if not, why not; (3) whether women-owned

business concerns were solicited, and if not, why not;
and (4) reason for the failure of solicited small;
small disadvantaged; or women-owned business concerns
to receive the subcontract award;

- D. Records to support other outreach efforts, e.g.,
contacts with minority, small business or women-owned
business trade associations; attendance at small
business, minority or women-owned business procurement
conferences and trade fairs;
- E. Records to support internal guidance and encouragement
provided to buyers through (1) workshops, seminars,
training programs, incentive awards; and (2) monitoring
of activities to evaluate compliance; and
- F. On a contract-by-contract basis, records to support
subcontract award data including the name, address and
business size of each subcontractor. (This item is not
required for company or division-wide commercial
products plans).
- G. Additional records: _____

This subcontracting plan was submitted by:

Signature: _____

Typed Name: _____

Title: _____

Date Prepared: _____

Phone No.: _____

8. The date and time by which proposals must be submitted is extended to
2/20/2003, 4:00 P.M. local time.